

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  
Anton, et al.

Serial No. 08/918,130 : Examiner: Wang S.

Filed August 27, 1997 : Art Unit: 1617

For: COSMETIC COMPOSITIONS

X

STATEMENT BY ATTORNEY THAT APPLICATION PAPERS ARE A TRUE COPY  
OF PRIOR APPLICATION (37 CFR 1.53(b)(1))

I hereby verify that the attached papers are a true copy of what is shown in my records to be the above identified prior application, including the oath or declaration originally filed.

Respectfully Submitted,

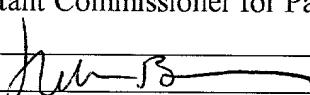
  
Julie Blackburn  
Reg. No. 32370

Revlon Consumer Products  
Corporation  
625 Madison Avenue  
New York, New York 10022  
(212) 527-5531

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on: Jan 18 2001

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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Docket No. Rev 96-3B

Most Immediate Prior application: 08/918,130

Examiner: Wang, S.

Art Unit: 1617

**Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231**

**FILING OF CONTINUATION APPLICATION UNDER 37 CFR 1.53(b)(1)**

This is a request for filing a

Continuation

Divisional

application under 37 CFR 1.53(b), of pending prior application

**08/918,130, filed August 27, 1997**  
(date)

of **Waifong Liew Anton, Milan Bohuslav Bednarek, Joseph Frank Calello, Natividad Jose, Anjali Abhimanyu Patil, Julio Gans Russ, Robert Walter Sandewicz, and Ann Marshall Ureneck.**

(inventor)(s)

for: **COSMETIC COMPOSITIONS**  
(title of invention)

**1. Copy of Prior Application as Filed Which is Attached**

I hereby verify that the attached papers are a true copy of what is shown in my records to be the above identified prior application, including the oath or declaration originally filed.

The copy of the papers of prior application as filed which are attached are as follows:

19 page(s) of specification  
 3 page(s) of claims  
 1 page(s) of abstract  
 0 sheet(s) of drawing  
 2 pages of declaration and power of attorney

my records reflect that the original  
signed declaration showing applicant's signature  
was filed on **April 16, 1998**.

the amendment referred to in the declaration filed to complete the prior application's  
signature was filed on \_\_\_\_\_.

**2. Amendments**

Cancel in this application original claims 1-20 of the prior application before calculating the filing  
fee.  
 A preliminary amendment is enclosed. (Claims added by this amendment have been properly  
numbered consecutively beginning with the number next following the highest numbered  
**original** claim in the prior application.)

**3. Petition for Suspension of Prosecution for the Time**

**Necessary to File an Amendment.**

There is provided herewith a Petition To Suspend Prosecution For The Time Necessary to File An Amendment (New Application Filed Concurrently).

#### 4. Fee Calculation (37 CFR 1.16)

##### CLAIMS AS FILED

| Number filed                               | Number Extra | Rate | Basic Fee      |
|--|--------------|------|----------------|
|  |              |      | 710.00         |
| <b>Total</b>                               |              |      |                |
| Claims 20                                  | 20 -20 =     | X    | \$22.00 000.00 |
| <b>Independent</b>                         |              |      |                |
| Claims (37 CFR 1.16(b))                    | 3 -3 =       | X    |                |
| <b>Multiple dependent claim(s), if any</b> |              |      |                |
| (37 CFR 1.16(d))                           | 0            | X    |                |
| <b>Total Filing Fee</b>                    |              | \$   | 710.00         |

Fee for extra claims is not being paid at this time

(37 CFR 1.16(d))

#### 5. Small Entity Status

A verified statement that this filing is by a small

entity:

is attached

has been filed in the parent application and such  
status is still proper and desired (37 CFR  
1.28(a))

Filing Fee Calculation (50% of above) \$\_\_\_\_\_

#### 6. Drawings

**WARNING: Do not** check the following box if prior case is  
not to be abandoned.

Transfer the drawings from the prior application to

this application and, subject to item 17 below, abandon said prior application as of the filing date accorded this application. A duplicate copy of this request is enclosed for filing in the prior application file.

[ ] Transfer the following sheet(s) of drawing from the prior application to this application \_\_\_\_\_

---

[ ] A **copy** of the amendment cancelling these sheets of drawing in the prior application is attached

[ ] New drawings are enclosed

[ ] formal

[ ] informal

**7. Priority -- 35 U.S.C. 119**

[ ] Priority of application serial no. \_\_\_\_\_ filed

on \_\_\_\_\_ in \_\_\_\_\_ is

claimed under 35 U.S.C. 119.

[ ] The certified copy has been filed in prior U.S.

application serial no. 0 / \_\_\_\_\_

on \_\_\_\_\_.

[ ] The certified copy will follow.

**8. Related Back -- 35 U.S.C. 120**

[x] Amend the specification by inserting before the first line the sentence:

"This is a

[x] continuation

[ ] divisional

of copending application(s)

**[x] serial no. 08/918,130, filed August 27, 1997.**

International Application \_\_\_\_\_ filed  
on \_\_\_\_\_ and which designated the U.S.

**9. Inventorship Statement**

- (a) With respect to the prior copending U.S. application from which this application claims benefit under 35 USC 120 the inventor(s) in this application is (are):  
(complete applicable item below)

the same  
 less than those named in the prior application and  
it is requested that the following inventor(s) in  
this application is (are):

- 
- (b) The inventorship for all the claims in this application are  
 the same  
 not the same, and an explanation, including the  
ownership of the various claims at the time the  
last claimed invention was made, is submitted.

**10. Assignment**

- The prior application is assigned of record to  
Revlon Consumer Products Corporation,  
625 Madison Avenue  
New York, NY 10022

an assignment of the invention to \_\_\_\_\_

---

is attached

**11. Fee Payment Being Made At This Time**

- Not Enclosed  
 No filing fee is submitted. (This and the  
surcharge required by 37 CFR 1.16(e) can be paid

subsequently).

Enclosed

|   |                         |
|---|-------------------------|
| <input checked="" type="checkbox"/> basic filing fee  | \$ <u>710.00</u>        |
| <input type="checkbox"/> recording assignment<br>( $\$8.00$ ; 37 CFR 1.21(h))                       | \$ _____                |
| <input type="checkbox"/> processing and retention fee<br>( $\$120.00$ ; 37 CFR 1.53(d) and 1.21(l)) | \$ _____                |
| <b>Total fees enclosed</b>  | <b>\$ <u>710.00</u></b> |

#### **12. Method of Payment of Fees**

enclosed is a check in the amount of \$\_\_\_\_\_

charge Account No. 18-1065 in the amount of

\$ 710.00

A duplicate of this request is attached.

#### **13. Authorization To Charge Additional Fees**

The Commissioner is hereby authorized to charge the following additional fees which may be required by this paper and during the entire pendency of the application to Account No. 18-1065.

37 CFR 1.16(a), (f) or (g) (filing fees)

37 CFR 1.16(b), (c) and (d) (presentation of extra claims)

37 CFR 1.17 (application processing fees)

37 CFR 1.18 (issue fee at or before mailing Notice of Allowance, pursuant to 37 CFR 1.311(b)).

#### **14. Power of Attorney**

a.  The power of attorney appears in the original papers in the prior application.

b.  Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. [ ] A new power has been executed and is attached.

d. [x] Address all future communications to

Julie Blackburn, Esq. -

Revlon Consumer Products Corporation, Law Dept.

625 Madison Avenue,

New York, N.Y. 10022 (Reg. No. 32,370)

**15. Maintenance of Copendency of Prior Application**

[ ] A petition, fee and response has been filed to extend the term in the pending prior

[ ] A **copy** of the petition for extension of time in

the prior application is attached.

**16. Conditional Petition for Extension of Time in Prior Application**

- a conditional petition for extension of time is being filed in the pending parent application.
- a **copy** of the conditional petition for extension of time in the prior application is attached.

Julie Blackburn Reg. No. 32370

Jun 18 2001

Date

Type or print name of person signing

Julie B

Signature

Revlon Consumer Products Corporation,  
625 Madison Avenue  
New York, NY 10022  
(212) 527-5531

- Person authorized to sign on behalf of assignee  
 Attorney or agent of record  
 Filed under Rule 34(a)

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on: Jun 18 2001

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